

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH DAKOTA

CHARLES L. NAIL, JR.
BANKRUPTCY JUDGE



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Via Electronic Transfer

August 6, 2013

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Subject: *In re Northern Beef Packers Limited Partnership*
Chapter 11, Bankr. No. 13-10118

Dear Counsel:

In response to your letter filed this afternoon, the continued hearing on Debtor's motion to obtain secured credit will go forward as scheduled on August 8, 2013. Debtor does not need to make additional service of the motion to obtain credit (doc. 45) or the attendant amended order setting deadlines (doc. 59) at this time. However, in addition to the issues I identified at the hearing on July 31, 2013, Debtor will need to establish that any preliminary authority to obtain secured credit, as you word it, "is sufficiently limited that the risk of prejudice to the creditors [who did not receive notice] is substantially outweighed by the potential harm to the Debtor if the hearing does not go forward." The only caveat I would add is that the harm to consider is not

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solely harm to Debtor but harm to the bankruptcy estate.

If Debtor is successful in obtaining preliminary authority to obtain secured credit at the August 8, 2013 hearing, we will discuss at that time how best to give the remaining creditors notice of Debtor's final request for authority to obtain credit and whether the August 12, 2013 deadline for objections to the final request and the August 14, 2013 hearing need to be modified.

Sincerely,



Charles L. Nail, Jr.
Bankruptcy Judge

CLN:sh

cc: case file (docket as status letter; serve any party in interest who is not electronically served)